

REMARKS

Claims 1 through 13 and 30 through 47 are pending in this application. Claims 1 through 3, 10 through 13, 30 through 32, 34, 36 through 42 are amended in several particulars for purposes of clarity in accordance with current Office policy, to assist the examiner and to expedite compact prosecution of this application. Claims 46 and 47 have been newly added. Claims 14 through 29 have been canceled without prejudice or disclaimer of its subject matter. The Applicant appreciates the Examiner's indication of allowability concerning claims 2, 4 through 11, 33, 34, and 36 through 42.

I. Restriction requirement

The Applicant appreciates that the Examiner agrees with Applicant for Groups I and II and will consider the merits for claims 1-13 and 30-45 (Groups I & II).

However, the Examiner maintains that there is a restriction requirement between the apparatus claims 1-13, 30-45 and method of assembling (manufacturing) a shadow mask claims 14-29 using form para 8-20-02.

The Applicant respectfully resubmits that according to MPEP § 803, there is not a serious burden on the Examiner and so there should not be a restriction required (see MPEP §803.02, § 806.04(a) -§806.04(i), §808.01(a), and § 808.02).

As stipulated in *MPEP* §803, if the search can be made without serious burden, the Examiner

must examine it on the merits even if there are separate and distinct inventions. It is respectfully submitted that there would not be a serious burden upon the examiner because of the following.

First there are limitations in common in each of the groups as seen in claims 1 through 45. For example, a limitation in Group III (claim 16) is also in Group I (claim 3) or the limitation in Group III (claim 18) is also in Group I (claims 4-6). Therefore, there are some overlapping fields of search within the different groups and so there should not be a serious burden on the Examiner as the Examiner submits in paper no. 10.

However, in the interest of expediting the prosecution of the application, claims 14 through 29 have been canceled without prejudice or disclaimer of its subject matter.

II. Title

The Examiner stated that the title of the invention is not descriptive and that a new title is required that is clearly indicative of the invention to which the claims are directed.

Therefore, as suggested by the Examiner, the title has been amended accordingly.

III. Claim Objections

The Examiner stated that in claims 1, 31, it is unclear as to what is meant by the phrase "each one of said two end ... second support member" at line e.g. 13 in claim 1; It is clear from the e.g. fig. 1 that only one end portion of either elastic member is coupled to only one support member.

Claims 1 and 31 were amended according to the Examiner's suggestion for the sake of clarity.

In claim 13, the Examiner stated that it is unclear as to whether claim 13 is dependent on claim 10 or 12. Claim 13 was amended accordingly.

In claim 42, the Examiner stated that since claim 30 claims e.g. at line 11, "bridges connecting adjacent strips", the subject matter of claim 42 is not true i.e. single slit with no bridges.

Claim 42 was amended accordingly.

IV. REJECTION OF CLAIMS (35 U.S.C. § 103)

Claims 1, 3, 12, 13, 30-32, 35, and 43-45 were rejected under 35 U.S.C. §103(a) as being unpatentable. The Applicant respectfully traverses.

According to MPEP 706.02(j), the following establishes a *prima facie* case of obviousness under 35 U.S.C. §103:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the

reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

A. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of JP 4-277448. The Applicant respectfully traverses.

As to claim 12, the Examiner stated that Suzuki discloses e.g. in fig. 1 a shadow mask frame assembly of a color CRT with a plurality of strips; a plurality of bridges; a portion where the bridges are formed and a portion where the bridges are not formed are alternately disposed in a horizontal direction (Note fig. 1).

However, looking at figure 1 of Suzuki, all portions of the shadow mask has bridges as the bridges are located at the same interval. The same is true in figures 9-13 which have the same configuration.

The left portion of the drawings of Suzuki do not clearly show the enlarged apertures 12 while the right portions do show the enlarged apertures 12 of the shadow mask 10. This is done only for illustrative purposes as shown by the dashed lines on the left side. Suzuki is teaching that apertures 12 are throughout the shadow mask 10 as shown on the right side of the mask. Notwithstanding this duplication of the apertures, there are still bridges shown throughout Suzuki.

However, for the sake of clarity, claim 12 was further amended to show the alternating disposition of bridges and no bridges more clearly.

B. Claims 1, 3, 30-32, 35, 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-16511 or Derwent 1994-291642 in view of JP 4-277448. The Applicant respectfully traverses.

The Examiner stated that as to claims 1, 3, 30-32, 35, 43-45, '511 or '642 discloses a shadow mask apparatus wherein the slots are being arranged in a first slot group and a second slot group and the first slot group having slots with a wider interval between bridges than the second slot group (figs. 1, 2, 6 in '511 and fig. 1 in '642).

As seen in the amended claim 30, neither Yasuda JP11-16511 ('511) or Kwon, KR 1990-0020976 ('642) teach or suggest both the first and second groups being in at least one column.

Concerning claims 3 and 32, neither Yasuda ('511) or Kwon ('642) in view of JP-427748 teach or suggest the first slot group being formed at the central portion of the main body in the vertical direction where the first slot group has a wider interval between bridges than the second slot group. Yasuda ('511) teaches of the central part being narrower than the other portions and therefore teaches away from the present invention. Meanwhile, in Kwon ('642), shows no such specific teaching is in the drawing provided by the Examiner.

Concerning claim 1, neither Yasuda ('511) or Kwon ('642) in view of JP-427748 teach or suggest both the first and second slot groups having at least two columns of slots. As seen in Yasuda, groups of two slots are not seen. In Kwon, only a grouping of a single slot column is seen.

V. ALLOWABLE SUBJECT MATTER

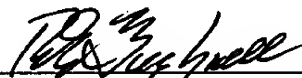
The examiner stated that claims 2, 4-11, 33, 34, 36-42 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The applicant appreciates the examiner's indication of allowability pertaining to claims 2, 4-11, 33, 34, 36-42. In accordance with the suggestion of the Examiner the claims have been amended into independent form and include all of the limitations of the base claim and any intervening claims. Therefore, claims 2, 4-11, 33, 34, 36-42 should be allowed.

In view of the foregoing amendments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. If there are any questions, the examiner is asked to contact the applicant's attorney.

A fee of \$1,032.00 is incurred by this Amendment for the addition of twelve (12) independent claims above four (4). Should there be a deficiency in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



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